The JUDGMENT and DECREE

OF THE

University of Oxford

Paſt in their Convocation

July 21. 1683,

Againſt certain PERNICIOUS BOOKS *and* DAMNABLE DOCTRINES

Deſtructive to the Sacred Perſons of PRINCES, their STATE and GOVERNMENT, and of all HUMANE SOCIETY.

Rendred into Engliſh, and Publiſhed by Command.

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XUM

The JUDGMENT and DECREE OF The UNIVERSITY of OXFORD

Past in their Convocation July 21. 1683.

ALtho the barbarous Aſſaſſination lately enterpriz'd againſt the perſon of his Sacred Majeſtie and his Royall Brother, engage all our thoughts to reflect with utmoſt deteſtation and abhorrence of that execrable Villany, hateful to God and Man; and pay our due acknowledgments to the Divine Providence which by extraordinary methods brought it to paſs, that the breath of our noſtrils the Anointed of the Lord is not taken in the pit which was prepared for him: and that under his ſhadow we continue to live, and enjoy the Bleſſings of his Government: Yet notwithſtanding we find it to be a neceſſary duty at this time to ſearch into and lay open thoſe impious Doctrines, which having of late

been ſtudiouſly diſſeminated, gave riſe and growth to thoſe nefarious attemts: and paſs upon them our ſolemn public Cenſure and Decree of condemnation.

Therefore to the honor of the holy and undivided Trinity, the preſervation of Catholic truth in the Church: and that the King's Majeſtie may be ſecur'd from the attemts of open and bloudy enimies, and the machinations of Traiterous Heretics and Schiſmatics: We the Vice-Chancellor, Doctors, Proctors, and Maſters Regent and not Regent met in Convocation in the accuſtom'd manner, time and place, on Saturday the 21 of July in the Year 1683. concerning certain Propoſitions contained in diverſe Books and Writings publiſhed in Engliſh, and alſo in the Latin tongue repugnant to the holy Scriptures, Decrees of Councils, Writings of the Fathers, the Faith and Profeſſion of the Primitive Church: and alſo deſtructive of the Kingly Government, the ſafety of his Majeſtie's Perſon, the Public Peace, the Laws of Nature, and bonds of humane Society: By our Unanimous aſſent and conſent, have Decreed and Determin'd in manner and form following.

Propoſition 1. All Civil Autority is derived originally from the People.

2. There is a mutual compact, tacit or expreſs, between a Prince and his Subjects; and that if he perform not his duty, they are diſcharg'd from theirs.

3. That

3. That if lawful Governors become Tyrants, or govern otherwiſe then by the laws of God and man they ought to do, they forfeit the right they had unto their Government.

Lex Rex. Buchanan de Jure Regni. Vindiciæ contra tyrannos. Bellarmine de Conciliis, de Pontifice. Milton. Goodwin. Baxter H. C.

4. The Soveraignty of *England* is in the three Eſtates, *viz.* King, Lords, and Commons. The King has but a coordinate power and may be overruled by the other two.

Lex Rex. Hunton of a limited and mixt Monarchy. Baxter H. C. Polit. Catech.

5. Birthright and proximity of bloud give no title to rule or Government, and it is lawful to preclude the next heir from his Right of Succeſſion to the Crown.

Lex Rex. Hunt's Poſtcript. Doleman. Hiſtory of Succeſſion. Julian the Apoſtate. Mene Tekel.

6. It is lawful for Subjects without the conſent and againſt the command of the Supreme Magiſtrate to enter into leagues, covenants and aſſociations, for defence of themſelves and their religion.

Solemn League and Covenant. Late Aſſociation.

7. Self-preſervation is the fundamental law of nature, and ſuperſedes the obligation of all others, whenever they ſtand in competition with it.

Hobbes de Cive. Leviathan.

8. The doctrine of the Goſpel concerning patient ſuffering of injuries, is not inconſiſtent with violent reſiſting of the higher powers in caſe of perſecution for religion.

Lex Rex. Julian Apoſtat. Apolog. Relat.

9. There lies no obligation upon Chriſtians to paſſive obedience, when the Prince commands any thing againſt the laws of our Country; and the primitive Chriſtians choſe rather to die then reſiſt, becauſe Chriſtianity was not yet ſetled by the laws of the Empire.

Julian Apoſtate.

10. Poſſeſſion and ſtrength give a right to govern, and ſucceſs in a cauſe or enterpriſe proclaims it to be lawful and juſt; to purſue it is to comply with the will of God, becauſe it is to follow the conduct of his providence.

Hobbes. Owen's Sermon before the Regicides Jan. 31. 1648. *Baxter, Jenkin's Petition Octob.* 1651.

11. In the ſtate of nature there is no difference between good and evil, right and wrong; the ſtate of nature is a ſtate of war, in which every man hath a right to all things.

12. The foundation of Civil Autority is this natural right, which is not given, but left to the Supreme Magiſtrate upon mens entring into ſocieties, and not only a foreign Invader but a domeſtic Rebel puts himſelf again into a ſtate of nature, to be proceeded againſt not as a ſubject but an enemy: and conſequently acquires by his rebellion the ſame right over the life of his Prince, as the Prince for the moſt heinous crimes has over the life of his own Subjects.

13. Every man after his entring into a ſociety retains a right of defending himſelf againſt force, and cannot transfer that right to the Commonwealth, when he conſents to that union whereby a Commonwealth is made; and in caſe a great many men together have already reſiſted the Commonwealth, for which every one of them expecteth death, they have liberty then

then to joyn together to assist and defend one another. Their bearing of arms subsequent to the first breach of their duty, tho it be to maintain what they have don, is no new unjust act, and if it be only to defend their persons, is not unjust at all.

14. An Oath superadds no obligation to pact, and a pact obliges no further than it is credited: and consequently if a Prince gives any indication that he does not believe the promises of fealty and allegiance made by any of his subjects, they are thereby freed from their subjection, and notwithstanding their pacts and oaths may lawfully rebel against, and destroy their Soveraign.

Hobbes de Cive. Leviathan.

15. If a People that by oath and duty are oblig'd to a Soveraign shall sinfully dispossess him, and contrary to their Covenants chuse, and covenant with another; they may be obliged by their latter Covenant notwithstanding their former.

Baxter H. C.

16. All oaths are unlawful, and contrary to the word of God.

Quakers.

17. An Oath obliges not in the sense of the Imposer, but the takers.

Sheriffs case.

18. Dominion is founded in grace.

19. The powers of this world are usurpations upon the Prerogative of Jesus Christ, and it is the duty of God's People to destroy them in order to the setting Christ upon his throne.

Fifth-Monarchy men.

20. The Presbyterian Government is the Scepter of Christ's Kingdom, to which Kings as well as others are bound to submit; and the King's Supremacy in Ecclesiastical affairs asserted by the Church of England is injurious to Christ, the sole King and Head of his Church.

Altare Damascenum. Apolog. relat. Hist. Indulgen. Cartwright. Travers.

21. It is not lawful for Superiors to impose any thing in the worship of God that is not antecedently necessary.

22. The duty of not offending a weak brother is inconsistent with all human Autority of making Laws concerning indifferent things.

Protestant Reconciler.

23. Wicked Kings and Tyrants ought to be put to death, and if the Judges and inferior Magistrates will not do their office, the power of the sword devolves to the People; if the major part of the People refuse to exercise this power, then the Ministers may excommunicate such a King, after which it is lawful for any of the Subjects to kill him, as the People did *Athaliah*, and *Jehu Jezabel.*

Buchanan, Knox, Goodman, Gilby, Jesuits.

24. After the sealing of the Scripture Canon, the people of God in all ages are to expect new Revelations for a rule of their actions, [a] and it is lawful for a private man, having an inward motion from God, to kill a Tyrant [b].

[a] *Quakers and other Enthusiasts.* [b] *Goodman.*

25. The example of *Phineas* is to us instead of a Command; for what God has commanded or approved in one age, must needs oblige in all.

Goodman. Knox. Napthali.

26. King Charles the firſt was lawfully put to death, and his murtherers were the bleſſed inſtruments of Gods glory in their Generation.
Milton. Goodwin. Owen.

27. King Charles the firſt made war upon his Parliament; and in ſuch a caſe the King may not only be reſiſted, but he ceaſeth to be King.
Baxter.

We decree, judge and declare all and every of theſe Propoſitions to be falſe, ſeditious and impious; and moſt of them to be alſo Heretical and Blaſphemous, infamous to Chriſtian Religion, and deſtructive of all Government in Church and State.

We farther decree that the Books which contain the foreſaid propoſitions and impious Doctrines, are fitted to deprave good manners; corrupt the minds of unwary men, ſtir up ſeditions and tumults, overthrow States and Kingdoms, and lead to Rebellion, murther of Princes, and Atheiſm it ſelf: and therefore we interdict all members of the Univerſity from the reading the ſaid Books, under the penalties in the Statutes expreſt.

We alſo order the before recited Books to be publicly burnt, by the hand of our Marſhal in the court of our Scholes.

Likewiſe we order that in perpetual memory hereof, theſe our decrees ſhall be enterd into the Regiſtry of our Convocation, and that copies of them being communicated to the ſeveral Colleges and Halls within this Univerſity, they be there publicly affixt in the Libraries, Refectories, or other fit places, where they may be ſeen and read of all.

Laſtly we command and ſtrictly enjoyn all and ſingular Readers, Tutors, Catechiſts and others to whom the care and truſt of inſtitution of youth is committed, that they diligently inſtruct and ground their Scholars in that moſt neceſſary Doctrine which in a manner is the Badge and character of the Church of England, of ſubmitting to every Ordinance of man for the Lords ſake, whether it be to the King as ſupreme, or unto Governors as unto them that are ſent by him, for the puniſhment of evil doers, and for the praiſe of them that do well: Teaching that this ſubmiſſion and obedience is to be clear, abſolute and without exception of any State or order of men: Alſo that all ſupplications, Prayers, Interceſſions and giving of thanks be made for all men, for the King and all that are in Autority, that we may lead a quiet and peaceable life in all godlineſs and honeſty; for this is good and acceptable in the ſight of God our Savior. And in eſpecial manner that they preſs and oblige them

them humbly to offer their moſt ardent and daily Prayers at the Throne of Grace for the preſervation of our Soveraign Lord King Charles from the attemts of open violence, and ſecret Machinations of perfidious Traitors: that he the Defender of the faith, being ſafe under the defence of the moſt High, may continue his reign on Earth, till he exchange it for that of a late and happy Immortality.

FINIS.